

SENATE No. 1271**The Commonwealth of Massachusetts**

PRESENTED BY:

Fargo, Susan (SEN)*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act establishing a municipal gas tax exemption.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Fargo, Susan (SEN)	Third Middlesex
William Smitty Pignatelli	4th Berkshire
John W. Scibak	2nd Hampshire
Harriette L. Chandler	First Worcester
Harriett L. Stanley	2nd Essex
Robert M. Koczera	11th Bristol
Scott P. Brown	Norfolk, Bristol and Middlesex
James E. Timilty	Bristol and Norfolk
Tom Sannicandro	7th Middlesex
Frank I. Smizik	15th Norfolk
William Lantigua	16th Essex
Robert A. O'Leary	Cape and Islands
Kevin G. Honan	17th Suffolk
Denise Provost	27th Middlesex
Thomas P. Conroy	13th Middlesex
Michael O. Moore	Second Worcester
Bruce E. Tarr	First Essex and Middlesex
Karen E. Spilka	Second Middlesex and Norfolk
Robert L. Hedlund	Plymouth and Norfolk

Richard J. Ross	9th Norfolk
Richard T. Moore	Worcester and Norfolk
Sarah K. Peake	4th Barnstable
Thomas M. Stanley	9th Middlesex
Alice Hanlon Peisch	14th Norfolk
Anne M. Gobi	5th Worcester
Martha M. Walz	8th Suffolk
Cory Atkins	14th Middlesex
Gale D. Candaras	First Hampden and Hampshire
Thomas P. Kennedy	Second Plymouth and Bristol
Jay R. Kaufman	15th Middlesex
Stephen L. DiNatale	3rd Worcester
Denis E. Guyer	2nd Berkshire
Brian A. Joyce	Norfolk, Bristol and Plymouth

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. S01727 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT ESTABLISHING A MUNICIPAL GAS TAX EXEMPTION.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 64A is hereby amended by inserting after section 7A the following
2 section:-

3 Section 7B. Any municipality of the commonwealth that buys any fuel on which an excise tax
4 has been paid under chapter 64A and, which fuel has been purchased for its municipal
5 consumption and use, shall be reimbursed the amount of such excise tax paid in the manner and
6 subject to the conditions herein provided. All claims for reimbursement shall be filed with the
7 commissioner of revenue and shall be made in such form and containing such information, and
8 accompanied with supporting documentation, as the commissioner of revenue shall prescribe.

9 The commissioner of revenue shall establish a quarterly calendar year schedule for the
10 submission of claims by municipalities for reimbursement of such paid fuel excise taxes. No
11 reimbursement for such excise tax paid shall be made for any claim submitted after 6 months
12 from the date of the purchase of such fuel. The commissioner of revenue shall transmit all
13 claims approved by him to the comptroller for certification, and the amount so approved and

14 certified as aforesaid shall be paid forthwith from the proceeds of the excise tax levied under this
15 chapter 64A, without specific appropriation. No claim for reimbursement for said excise tax shall
16 be made by a municipality under sections 7 and 7A of chapter 64A, for fuel purchased during
17 said period, to which a municipality is entitled to claim a reimbursement under this section.

18 SECTION 2. Section 13 of Chapter 64A of the General Laws, as appearing in the 2006 Official
19 Edition, is hereby amended by striking out the words “seven and seven A” in line 3, and
20 inserting in place thereof, the following words:- “seven, seven A and seven B”.